

103D CONGRESS  
2D SESSION

# S. 2216

To state the sense of Congress on the production, possession, transfer, and use of antipersonnel landmines, to place a moratorium on United States production of antipersonnel landmines, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 21 (legislative day, JUNE 7), 1994

Mr. LEAHY (for himself, Mr. INOUE, Mr. LUGAR, Mr. MITCHELL, Mr. MOYNIHAN, Mr. ROBB, Mr. SIMPSON, Mr. DODD, Mrs. FEINSTEIN, Mr. METZENBAUM, Mrs. KASSEBAUM, Mr. SASSER, Mr. DASCHLE, Mr. GRAHAM, Mr. CHAFEE, Mr. DECONCINI, Mr. SIMON, Ms. MIKULSKI, Mr. FEINGOLD, Mr. SPECTER, Mr. BINGAMAN, Mr. KERRY, Mr. KERREY, Mr. PELL, Mr. EXON, Mr. FORD, Mr. KOHL, Mr. WELLSTONE, Mr. BUMPERS, Mr. WOFFORD, Mr. MATHEWS, Mr. SARBANES, Mr. JEFFORDS, Mrs. BOXER, Mr. AKAKA, Mr. HATFIELD, Mr. HARKIN, Mr. RIEGLE, Mr. DORGAN, Mr. KENNEDY, Mr. LAUTENBERG, Mrs. MURRAY, Ms. MOSELEY-BRAUN, Mr. ROCKEFELLER, Mr. BRADLEY, Mr. DURENBERGER, Mr. REID, Mr. BIDEN, Mr. CONRAD, Mr. GLENN, Mr. CAMPBELL, Mr. PRYOR, Mr. BAUCUS, Mr. LIEBERMAN, and Mr. BRYAN) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To state the sense of Congress on the production, possession, transfer, and use of antipersonnel landmines, to place a moratorium on United States production of antipersonnel landmines, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. FINDINGS.**

2 The Congress makes the following findings:

3 (1) There are approximately 100,000,000  
4 unexploded antipersonnel landmines strewn in more  
5 than 60 countries around the world, and tens of mil-  
6 lions of antipersonnel landmines are stored in stock-  
7 piles. The Department of State reports that “land-  
8 mines may be the most toxic and widespread pollu-  
9 tion facing mankind”.

10 (2) Like chemical and biological weapons, land-  
11 mines kill and maim indiscriminately.

12 (3) After the United States adopted a unilateral  
13 moratorium on the export of antipersonnel land-  
14 mines, the United Nations General Assembly unani-  
15 mously called for an international moratorium on  
16 such exports, and the Governments of France, Ger-  
17 many, Greece, Belgium, the Netherlands, Poland,  
18 Slovakia, and South Africa have announced export  
19 moratoria. The Government of Cambodia has stated  
20 that it will no longer use or purchase antipersonnel  
21 landmines.

22 (4) Despite such actions, far more anti-  
23 personnel landmines are being strewn than are being  
24 cleared. Each month, at least 1,200 persons, mostly  
25 innocent civilians, are killed or injured by landmines.  
26 In some countries, more than one third of all casual-

1       ties of antipersonnel landmines are women and chil-  
2       dren.

3           (5) With hundreds of types of antipersonnel  
4       landmines being produced in at least 50 countries,  
5       only international cooperation on limits on the pro-  
6       duction, possession, transfer, and use of anti-  
7       personnel landmines will stop the slaughter of inno-  
8       cent lives.

9           (6) A United Nations conference to review the  
10      1980 Conventional Weapons Convention, including  
11      Protocol II to the Convention (otherwise known as  
12      the Landmine Protocol), is planned for 1995. Meet-  
13      ings of governmental experts to prepare for the con-  
14      ference have begun. This is a critical time for United  
15      States leadership to help solve the landmine crisis.

16   **SEC. 2. POLICY.**

17      It is the sense of Congress that the President  
18      should—

19           (1) actively seek an international agreement  
20      prohibiting the production, possession, transfer, and  
21      use of antipersonnel landmines; and

22           (2) as interim measures to be pursued during  
23      the seeking of such prohibitions, actively seek inter-  
24      national agreements, modifications of the 1980 Con-  
25      ventional Weapons Convention, or other agreements

1 or arrangements to limit further the production, pos-  
2 session, transfer, and use of antipersonnel land-  
3 mines.

4 **SEC. 3. MORATORIUM ON THE PRODUCTION AND PRO-**  
5 **CUREMENT OF ANTIPERSONNEL LANDMINES.**

6 (a) SENSE OF CONGRESS.—It is the sense of Con-  
7 gress that a moratorium by the United States on the pur-  
8 chase and production of antipersonnel landmines would  
9 encourage other nations to adopt similar measures.

10 (b) MORATORIUM.—Effective 90 days after the date  
11 of the enactment of this Act, the United States Govern-  
12 ment shall not purchase or produce antipersonnel land-  
13 mines.

14 (c) PERIOD OF MORATORIUM.—The prohibition set  
15 forth in subsection (b) shall continue until the end of the  
16 one-year period beginning on the date of the enactment  
17 of this Act.

18 (d) ACTIONS BY OTHER NATIONS.—(1) The Con-  
19 gress urges the President, during the period referred to  
20 in subsection (c), to encourage each nation which is a  
21 major producer of antipersonnel landmines to adopt a  
22 moratorium similar to the moratorium described in sub-  
23 section (b).

24 (2) If the President determines during the period re-  
25 ferred to in subsection (c) that nations that are major pro-

1 ducers of antipersonnel landmines have adopted moratoria  
2 similar to the moratorium described in subsection (b), the  
3 President may extend the moratorium for such additional  
4 time as the President considers appropriate.

5 (3) For the purposes of this subsection, the term  
6 “major producers of antipersonnel landmines” shall in-  
7 clude the following:

8 (A) Belgium.

9 (B) Bulgaria.

10 (C) The Peoples Republic of China.

11 (D) Egypt.

12 (E) France.

13 (F) Germany.

14 (G) Hungary.

15 (H) Italy.

16 (I) Pakistan.

17 (J) Russia.

18 (K) South Africa.

19 (L) The United Kingdom.

20 **SEC. 4. AUTHORIZATION OF FUNDS FOR DEMINING ACTIVI-**  
21 **TIES.**

22 Of the funds authorized by an Act authorizing appro-  
23 priations for military activities of the Department of De-  
24 fense, \$10,000,000 are authorized to support humani-  
25 tarian activities relating to the clearing and disarming of

1 landmines and the protection of civilians from landmines  
2 (including activities relating to the furnishing of edu-  
3 cation, training, technical assistance, demining equipment  
4 and technology and activities relating to research and de-  
5 velopment on demining equipment and technology) and for  
6 contributions to United Nations agencies and programs  
7 and to nongovernmental organizations to support such ac-  
8 tivities, and \$10,000,000 are authorized for efforts to im-  
9 prove landmine detection and neutralization.

10 **SEC. 5. ANALYSIS AND ASSESSMENT OF COSTS AND EF-**  
11 **FECTS OF ANTIPERSONNEL LANDMINES.**

12 (a) ANALYSIS.—(1) Not later than 180 days after the  
13 date of the enactment of this Act, the Administrator of  
14 the Agency for International Development and the Sec-  
15 retary of State shall jointly submit to Congress a joint  
16 report containing a quantitative and qualitative analysis  
17 of the social, economic, and environmental costs and ef-  
18 fects of the use of antipersonnel landmines.

19 (2) The analysis shall cover not less than three coun-  
20 tries (as jointly determined by the Administrator and the  
21 Secretary) in which the presence of landmines presents  
22 significant social, economic, and environmental problems.

23 (3) In preparing the report, the Administrator and  
24 the Secretary shall rely on any appropriate governmental

1 and nongovernmental materials and sources of informa-  
2 tion that are available to them.

3 (b) ASSESSMENT.—(1) The Secretary of Defense  
4 shall submit to Congress a report setting forth the total  
5 number of members of the United States Armed Forces  
6 killed or wounded by antipersonnel landmines during each  
7 of the following periods:

8 (A) World War II.

9 (B) The Korean conflict.

10 (C) The Vietnam era.

11 (D) The Persian Gulf War.

12 (2) The Secretary of Defense shall submit the report  
13 under this subsection at the same time that the report  
14 required under subsection (a) is submitted.

15 **SEC. 6. DEFINITIONS.**

16 For purposes of this Act:

17 (1) The term “antipersonnel landmine” means  
18 any of the following:

19 (A) Any munition placed under, on, or  
20 near the ground or other surface area, delivered  
21 by artillery, rocket, mortar, or similar means,  
22 or dropped from an aircraft and which is de-  
23 signed, constructed, adapted, or designed to be  
24 adapted to be detonated or exploded by the  
25 presence, proximity, or contact of a person.

1           (B) Any device or material which is de-  
2           signed, constructed, adapted, or designed to be  
3           adapted to kill or injure and which functions  
4           unexpectedly when a person disturbs or ap-  
5           proaches an apparently harmless object or per-  
6           forms an apparently safe act.

7           (2) The term “1980 Conventional Weapons  
8           Convention” means the 1980 Conventional Weapons  
9           Convention on Production or Restrictions on the Use  
10          of Certain Conventional Weapons Which May Be  
11          Deemed To Be Excessively Injurious or To Have In-  
12          discriminate Effects, done at New York on April 10,  
13          1981.

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